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JS-6

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UNITED STATES DISTRICT COURT
FOR THE CENTRAL DISTRICT OF CALIFORNIA
WESTERN DIVISION

UNITED STATES OF AMERICA,)	NO. CV 15-01761 MWF (E)
)	
Plaintiff,)	
)	CONSENT JUDGMENT OF FORFEITURE
vs.)	
)	
\$467,810.00 IN U.S. CURRENCY,)	
ET AL.)	
)	
Defendant.)	
)	

Plaintiff and Claimants Lee Ai Hinn and Howard Tan
("Claimants") have made a stipulated request for the entry of
this Consent Judgment, resolving this action in its entirety.

1 The defendant assets were seized from Claimants, and they assert
2 an interest in the defendant assets and have filed claims in
3 this case and have answered the complaint. No other claims or
4 answers were filed, and the time for filing claims and answers
5 has expired.

6 The Court, having considered the stipulation of the
7 parties, and good cause appearing therefor, **HEREBY ORDERS**
8 **ADJUDGES AND DECREES:**

9 1. The government has given and published notice of this
10 action as required by law, including Rule G of the Supplemental
11 Rules for Admiralty or Maritime Claims and Asset Forfeiture
12 Actions, Federal Rules of Civil Procedure, and the Local Rules
13 of this Court. Claimants have filed claims and answers to
14 contest the forfeiture of the defendant assets. No other claims
15 were filed, and the time for filing claims and answers has
16 expired. This Court has jurisdiction over the parties to this
17 judgment and the defendant assets. Any potential claimants to
18 the defendant assets other than Claimants are deemed to have
19 admitted the allegations of the complaint with respect to the
20 defendant assets.

21 2. The following defendant assets shall be returned to
22 Claimants as follows:

23 a. \$6,426.00 in U.S. currency, seized on July 28,
24 2014, without interest, shall be returned to
25 claimant Lee Ai Hinn; and

26 b. \$162,727.50 in U.S. currency, seized on July 28,
27 2014, without interest, shall be returned to
28 claimant Howard Tan.

1 The United States shall return the above-listed assets in
2 Paragraph 2 not later than 45 days after (a) the court enters
3 this Consent Judgment and (b) Claimants provide to the
4 government the bank routing and personal identifiers needed to
5 effect a wire transfer of any returned funds, whichever is
6 later.

7 3. The following assets shall be forfeited to the United
8 States, and no other right, title or interest shall exist
9 therein. The Government shall dispose of the following
10 according to law:

11 a. \$333,774.50 in U.S. currency seized on July 28,
12 2014 and July 9, 2015.

13 4. Claimants have agreed to release the United States of
14 America, its agencies, agents, and officers, including employees
15 and agents of the Drug Enforcement Administration, as well as
16 all agents, officers, employees and representatives of any state
17 or local government or law enforcement agency involved in the
18 investigation or prosecution of this matter, from any and all
19 claims, actions or liabilities arising out of or related to the
20 seizure and retention of the defendant assets and/or the
21 commencement of this civil forfeiture action, including, without
22 limitation, any claim for attorneys' fees, costs or interest
23 which may be asserted on behalf of Claimants against the United
24 States, whether pursuant to 28 U.S.C. § 2465 or otherwise.
25 Claimants have waived any rights they may have to seek remission
26 or mitigation of the forfeiture.

27 5. The court finds that there was reasonable cause for the
28 seizure of the defendant assets and the institution of this

1 action as to the defendant assets. This judgment constitutes a
2 certificate of reasonable cause pursuant to 28 U.S.C. § 2465 as
3 to the defendant assets.

4 6. Each of the parties shall bear its own fees and costs
5 in connection with the seizure, retention and return of the
6 defendant assets.



7
8 DATED: November 7, 2016

THE HONORABLE MICHAEL W. FITZGERALD
UNITED STATES DISTRICT JUDGE

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11 Prepared by:

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